

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE

**JEANNETTE TORRES HERNANDEZ
JOSEAN G MATOS TORRES**

DEBTOR(S)

CASE NO. 10-00721-EAG

CHAPTER: 13

MOTION REQUESTING DISMISSAL

TO THE HONORABLE COURT:

Comes now, **RELIABLE FINANCIAL SERVICES, INC.**, holder of a secured claim and Movant herein, through its undersigned counsel, and very respectfully to the Honorable Court, alleges and prays as follows:

1. Movant is the holder in due course of a duly executed conditional sales contract over motor vehicle SUZUK GRAND VITA 2009 registered under number 3635679, executed by debtor(s) on JANUARY 23, 2009.

2. Debtor(s) filed the instant bankruptcy petition under Chapter 13 on FEBRUARY 3, 2010.

3. Debtor's (s') Plan was confirmed on APRIL 26, 2010. Said Plan proposes to pay pre-petition arrears through Chapter 13 Trustee and debtor(s) will maintain regular payment directly to Movant.

4. However, according to the records made available to creditors by the Trustee, as of today's date, debtor(s) has (have) only paid \$ **10,590.00**, out of \$ **13,500.00** due.

5. Section 1307 (c) (6) of the Bankruptcy Code provides for the dismissal of a case under chapter 13 for "material default by the debtor with respect to a term of a confirmed plan."

6. The situation above explained is effectively causing undue prejudice to Movant's rights as a holder of a secured claim.

7. Therefore, according to 11 USC §1307(c)(1) debtor's(s) unreasonable delay which is prejudicial to creditor, is sufficient also cause to warrant the dismissal of debtors' bankruptcy petition.

WHEREFORE, it is respectfully requested from the Honorable Court to order the dismissal of the instant bankruptcy petition according to the aforementioned bankruptcy disposition.

NOTICE TO ALL PARTIES is herein given to the effect that if no opposition is filed within thirty (30) from this notice the Court may enter an Order dismissing the case without further hearing.

CERTIFICATE OF SERVICE

I hereby certify that the present motion was filed electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the **ALEJANDRO OLIVERAS**, Trustee and **MADELEINE LLOVET OTERO**, Debtor(s) Attorney and that we have sent copy of this document through regular mail to Debtor(s) **JEANNETTE TORRES HERNANDEZ**, **AMALIA MARIN 5679 CALLE TAINO PONCE, PR 00716** and to all non CM/ECF participants interested as per mailing list which is hereby included.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico this 5 day NOVEMBER, 2013.

/S/ CARLOS E. PEREZ PASTRANA
USDC-208913
Attorney for Movant
PO BOX 21382
SAN JUAN, PR 00928-1382
TEL. 787-625-6645 FAX: 787-625-4891
cperezp@reliablefinancial.com

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

**JOSEAN G MATOS TORRES
JEANNETTE TORRES HERNANDEZ**

DEBTOR(S)

CASE NO. 10-00721-EAG

CHAPTER 13

**MOTION SUBMITTING DECLARATION
UNDER PENALTY OF PERJURY**

Comes now, **RELIABLE FINANCIAL SERVICES, INC.**, holder of a secured claim and Creditor herein and submitting to the Honorable Court the following declaration:

I, **Hildaris B. Burgos Muriel, Bankruptcy Official** for **RELIABLE FINANCIAL SERVICES**, declare under penalty of perjury, the following:

That according to the enclosed certification, provided by Department of Defense Manpower Data Center (DMDC), debtor(s) is(are) not on active military duty nor in the military service and does not fall within the Service Member Civil Relief Act of 2003.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico this 05 day of NOVEMBER, 2013.

/S/Hildaris B. Burgos Muriel
Bankruptcy Official
P. O. Box 21382
San Juan, PR 00928-1382
Tel: (787)625-6647 Fax:(787)625-4891
hburgosm@reliablefinancial.com



Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: MATOS

First Name: JOSEAN

Middle Name:

Active Duty Status As Of: Nov-05-2013

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Mary M. Snavelly-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22350

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 521(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

Certificate ID: F5B24D37M023E60



Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: TORRES

First Name: JEANNETTE

Middle Name:

Active Duty Status As Of: Nov-04-2013

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Mary M. Snavelly-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22350

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 521(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

Certificate ID: J5E15347205B150

Label Matrix for local noticing
0104-2
Case 10-00721-MCF13
District of Puerto Rico
Ponce
Sat May 28 13:29:14 AST 2011

AES/PHEAA
P.O. BOX 8147
HARRISBURG, PA 17105-8147

DORAL BANK INC
C/O LIGIA RIVERA BUJOSA
PO BOX 7821
PONCE, PR 00732-7821

ECMC
P.O. Box 75906
St. Paul, MN 55175-0906

JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 953185
ST LOUIS, MO 63195-3185

RELIABLE FINANCIAL SERVICES
PO BOX 21382
SAN JUAN, PR 00928-1382

US Bankruptcy Court District of PR
Southwestern Divisional Office
US Courthouse and Post Office Building
93 Atocha Street, Second Floor
Ponce, PR 00730-3759

A.S.U.M.E.
IVELISSE TORO ZAMBRANA USDA 214513
PO BOX 7719
PONCE, PR 00732-7719

AMERICAN EDUCATION SERVICES
PO BOX 2461
HARRISBURG, PA 17105-2461

American Education Services
1200 N. Seventh St. Attn:DDB Tm/2nd Flr.
Harrisburg, PA 17102-1444

BANCO POPULAR DE PUERTO RICO
BANKRUPTCY DEPARTMENT
PO BOX 366818
SAN JUAN PR 00936-6818

BANCO POPULAR DE PUERTO RICO
CONSUMER CREDIT SERVICES DIVISION
PO BOX 71375
SAN JUAN, PR 00936-8475

DIRECTORIA DE OBRAS PUBLICAS
OFICINAS REGIONALES
PO BOX 4294
SAN JUAN, PR 00958-1294

DORAL BANK
PO BOX 71529
SAN JUAN, PR 00936-8629

Department of Treasury
Bankruptcy Section (424-B)
PO Box 9024140
San Juan, PR 00902-4140

ISLAND FINANCE DIV. SANTANDER FINANCIAL
PO BOX 195369
SAN JUAN, PR 00919-5369

JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
ST CLOUD MN 56302-7999

LUCAS VALDIVIESO GALIB, ESQ.
PO BOX 362400
SAN JUAN, PR 00936-2400

MARIA YELITZA JIMENEZ NEGRON
SANTA CATALINA SECTOR CILANTRO
PO BOX 385
COAMO, PR 00769-0385

NCO FINANCIAL SYSTEMS, INC.
507 PRUDENTIAL RD
HORSHAM, PA 19044-2368

PR ACQUISITIONS, LLC
250 Munoz Rivera Ave Suite 1200
Hato Rey, PR 00918-1814

Recovery Management Systems Corporation
For GE Money Bank
dba SAM'S CLUB
25 SE 2nd Ave Ste 1120
Miami FL 33131-1605

SAM'S CLUB
PO BOX 530942
ATLANTA, GA 30353-0942

SANTANDER FINANCIAL D/B/A ISLAND FINANCE
PO BOX 195369
SAN JUAN PR 00919-5369

ALEJANDRO OLIVERAS RIVERA
ALEJANDRO OLIVERAS, CHAPTER 13 TRUS
PO BOX 9024062
SAN JUAN, PR 00902-4062

JEANNETTE TORRES HERNANDEZ
AMALIA MARIN
5679 CALLE TAINO
PONCE, PR 00716-1355

JOSEAN G MATOS TORRES
AMALIA MARIN
5679 CALLE TAINO
PONCE, PR 00716-1355

MADELINE SOTO PACHECO
LUBE & SOTO LAW OFFICES, P.S.C.
1130 AVE FD ROOSEVELT
SAN JUAN, PR 00920-2906

MONSITA LECAROS ARRIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901-1938

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)ASUME ADMINISTRATOR

(d)AES/PHEAA
PO BOX 8147
HARRISBURG, PA 17105-8147

(d)DORAL BANK, INC.
C/O LIGIA RIVERA BUJOSA
PO BOX 7821
PONCE PR 00732-7821

(d)RELIABLE FINANCIAL SERVICES
PO BOX 21382
SAN JUAN, PR 00928-1382

End of Label Matrix
Mailable recipients 28
Bypassed recipients 4
Total 32